FOR PLANT PATENT APPLICATION (35 U.S.C. § 161)

As a below-named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name; I believe I am the original and first inventor of the new and distinct variety of: SHRUB ROSE plant named: 'BAIFAIRY' which is claimed and for which a plant patent is sought, the specification of which (check only one item below): is attached hereto, and was amended on _____ (if applicable). was filed as United States Application Number _____ _____ (if applicable). and was amended on I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim, as amended by any amendment referred to above; I have asexually reproduced the plant to which this application applies. Said plant was found in a cultivated area (check this box for newly found plant only) I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed. PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §§119(a)-(d) or (f), or 365(a)-(b) PRIORITY CLAIMED COUNTRY DATE OF FILING UNDER 35 U.S.C. (if PCT, Indicate "PCT") APPLICATION NUMBER (MM/DD/YYYY) §§119 OR 365 none. YES NO YES. NO YES NO YES_ NO

YES

YES_

YES

YES

NO

NO

NO

Combined Declaration and Power of Attorney for Plant Patent Application Attorney's Docket No. 002250-194
Page 2 of 2

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Robert S. Swecker Platon N. Mandros Benton S. Duffett, Jr. Norman H. Stepno Ronald L. Grudziecki Alan E. Kopecki Regis E. Slutter Samuel C. Miller, III Robert G. Mukai George A. Hovanec, Jr. James A. LaBarre E. Joseph Gess R. Danny Huntington Eric H. Weisblatt James W. Peterson Teresa Stanek Rea	19,885 22,124 22,030 22,716 24,970 25,813 26,999 27,360 28,531 28,223 28,632 28,510 27,903 30,505 26,057 30,427	William C. Rowland T. Gene Dillahunty Patrick C. Keane B. Jefferson Boggs, Jr. William H. Benz Peter K. Skiff Richard J. McGrath Matthew L. Schneider Michael G. Savage Charles F. Wieland III Bruce T. Wieder Todd R. Walters Ronni S. Jillions Harold R. Brown III Allen R. Baum Brian P. O'Shaughnessy	30,888 25,423 32,858 32,344 25,952 31,917 29,195 32,814 32,596 33,096 33,815 34,040 31,979 36,341 36,086 32,747	Kenneth B. Leffler Fred W. Hathaway Wendi L. Weinstein Mary Ann Dillahunty Donna M. Meuth Nhat D. Phan Claude A.S. Hamrick All practitioners associa Customer No. 2 1 8	
and: none					,
Address all correspondence to:		BURNS, DOANE, SWECKER & MATHIS, L.L.P. CUSTOMER NUMBER 2 1 8 3 9			

P.O. Box 1404

Alexandria, Virginia 22313-1404

Address all telephone calls to: Benton S. Duffett, Jr. at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

An intermediate the same of th			
Full Name of Sole or First Inventor	PETER P LIM		
Signature	M		
Date	Tahuam 29, 2004		
Residence (City, State, Country)	Yamhill, Oregon		
Citizenship	U.S.A.		
Post Office Address	c/o Bailey Nurseries, Inc., 9855 N.W. Pike Road, Yamhill, Oregon 97148		